

From the INTERNATIONAL BUREAU

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NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)
(PCT Rule 44bis.1(c))

To:

FENSTER, Paul
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RECEIVED

29 DEC 2008

FILE No.

37703

G.E. EHRLICH (1995) LTD.

Date of mailing (day/month/year)

11 December 2008 (11.12.2008)

Applicant's or agent's file reference

416/04363

IMPORTANT NOTICE

International application No.

PCT/IL2005/000355

International filing date (day/month/year)

29 March 2005 (29.03.2005)

Priority date (day/month/year)

29 March 2004 (29.03.2004)

Applicant

POLYNES TECHNOLOGIES LTD et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Simin Baharlou

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 416/04363	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IL2005/000355	International filing date (<i>day/month/year</i>) 29 March 2005 (29.03.2005)	Priority date (<i>day/month/year</i>) 29 March 2004 (29.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant POLYNES TECHNOLOGIES LTD		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	<p>This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

<p style="text-align: center;">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 338 82 70</p>	<p>Date of issuance of this report 27 November 2008 (27.11.2008)</p> <p>Authorized officer</p> <p style="text-align: center; font-size: 1.2em;">Simin Baharlou</p> <p>e-mail: pt09.pct@wipo.int</p>
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
PAUL FENSTER
FENSTER & CO, INTELLECTUAL PROPERTY LTD.
P.O. BOX 10256
PETACH TIKVA, 49002
ISRAEL

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 416/04363		Date of mailing (day/month/year) 12 JUN 2008
International application No. PCT/IL05/00355		FOR FURTHER ACTION See paragraph 2 below
International filing date (day/month/year) 29 March 2005 (29.03.2005)	Priority date (day/month/year) 29 March 2004 (29.03.2004)	
International Patent Classification (IPC) or both national classification and IPC IPC: Please See Continuation Sheet USPC: 222/190,137,145.6,145.5;239/146,134,526,159		
Applicant POLYNES TECHNOLOGIES, LTD.		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

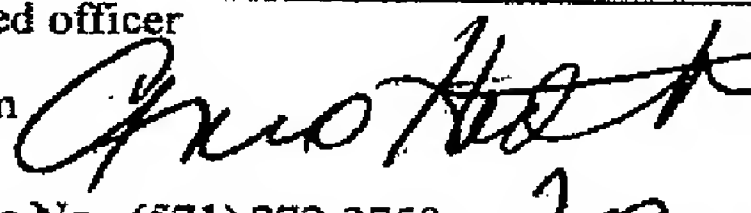
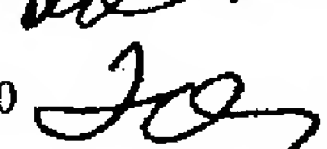
2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 04 June 2008 (04.06.2008)	Authorized officer Len Tran  Telephone No. (571) 272-3750 
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Form PCT/ISA/237 (cover sheet) (April 2007)

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/IL05/00355

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IL05/00355

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>NONE</u>	<u>YES</u>
	Claims <u>1-57</u>	<u>NO</u>
Inventive step (IS)	Claims <u>NONE</u>	<u>YES</u>
	Claims <u>1-57</u>	<u>NO</u>
Industrial applicability (IA)	Claims <u>1-57</u>	<u>YES</u>
	Claims <u>NONE</u>	<u>NO</u>

2. Citations and explanations:

Claims 1-57 lack novelty under PCT Article 33(2) as being anticipated by Kott et al (US 6,533,189).

In regard to Claims 1-57, Kott et al teach a chemical mixing device having a flow generator(30) that provides at least two streams of chemicals (26,28) and a mixing chamber (90) that includes at least two inlets adapted to receive the at least two streams of chemicals (26,28) and an outlet (92) through which a mixture of the streams of chemicals (26,28) are ejected from the mixing device (90) and the mixing chamber (90) has an open state in which the chemicals are mixed and a closed state in which the volume of the mixing chamber is less than a fifth of the open state volume. The mixing chamber (90) has a substantially zero volume in the closed state and the mixing chamber (90) has walls that are biased closed in which the walls are pressed against each other. The volume of the mixing chamber (90) from a first mixing point of the streams to the outlet is not greater than 20 cubic millimeters and the chamber (90) is formed of a flexible material. A flow regulator (92) prevents flow into the mixing chamber unless the chemical streams from the flow generator have a pressure above a threshold of at least 2 bar. At least two channels have a decreasing cross section area that is adapted to lead the chemical streams to the inlets of the mixing chamber (90). A first volume when the flow generator is not operating and a second larger volume when the flow generator induces flow of the chemicals into the mixing chamber (90). The mixing device of Kott et al is packaged with the mixing chamber, generator capable of being inside the package. A nozzle (44) is also defined by the mixing chamber (90).

Claims 1-57 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/IL05/00355**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of IPC:

B67D 5/58(2006.01),5/52(2006.01),5/60(2006.01);B05B 9/03(2006.01),1/24(2006.01),7/02(2006.01),1/20(2006.01)

